

Bill 71

Additional Testimony



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improving the quality of lives of pets and their people.

Testimony by Alicia Maluafiti, Volunteer Board President
In Support of **Bill 71** – Relating to Exceptions to Building Permits

Honolulu City Council
Wednesday, October 3, 10 am

Aloha Chair Martin and Council Members,

Poi Dogs & Popoki (PDP) is a nonprofit animal welfare organization with a mission to help people and their pets. We operate a mobile spay and neuter clinic on the island of Oahu providing affordable spay and neuter and veterinary services to low income pet owners and caregivers in rural and underserved communities. We are in strong support of Bill 71 to exempt dog kennels and tents from the building permit process.

Providing Affordable Options for Dog Owners: Off the Chain

For some pet owners, tethering or chaining their dogs is the only option for keeping pets on property. Often times – these are renters with no fenced in yards. Sadly – life at the end of a chain is no life for a pet. It breeds aggression and is a lonely, solitary life for dogs. But today – many home improvement and other large retailers like Costco offer affordable solutions with large, sturdy pre-fabricated kennels. While most of us would like all our pets to live wonderful lives inside the home with their owners, that is not always the case. So kennels become a more humane and compassionate solution. And for many others – the convenient nature of tents provides another alternative to providing pets with shelter from the sun and rain.

The City ordinance apparently requires a building permit for dog kennels which puts a burden on pet owners. To avoid the costly and time-consuming permit process, most will just go back to chaining their dogs or they'll surrender their dogs to avoid a citation. This policy is cruel to animals and the people trying to properly care for their dogs. For those of us doing rescue – this becomes a barrier to helping our community with stray and abandoned animals. For every animal (dog or cat) that we rescue – we save City tax payers over \$200 by avoiding the intake, sheltering, caring, and ultimate euthanasia and disposal of these animals by the Hawaiian Humane Society (an animal control process that is in itself cruel and inhumane).

More Pressing Priorities for Planning and Permitting

Why is the City wasting tax payer money going after people with dog kennels and tents? They don't even have enough inspectors to properly monitor and enforce unpermitted Monster Homes or Gentlemen Farms or Vacation Rentals. And the timeline to get a building permit is 6 months to a year! Imagine how many people will burden the City with ridiculous permit requests for tents and kennels.

The current "squeaky wheel" policy - where the City ONLY cites people with vindictive neighbors - is pathetically unfair and irresponsible. Look around the island....canopy tents are ubiquitous! The City should not be able to pick and choose who to target with citations. Again - they have neither the manpower nor resources to waste time on manini issues when there are more pressing public health and safety issues and many with fiscal impacts.

Mahalo for your consideration. Please pass Bill 71.

Chung, Vicki K. N.

From: CLK Council Info
Sent: Tuesday, October 02, 2018 9:36 PM
To: Yamane, Joy
Cc: hawnstylerain@aol.com; Chung, Vicki K. N.; Otto, Pearlene
Subject: Council/Public Hearing Speaker Registration/Testimony

Speaker Registration/Testimony

Name	Athena Robello
Phone	8083724644
Email	hawnstylerain@aol.com
Meeting Date	10-03-2018
Council/PH Committee	Council
Agenda Item	71
Your position on the matter	Support
Representing	Self
Organization	
Do you wish to speak at the hearing?	No
Written Testimony	Please allow this bill to pass. We have 2 pop up tents shading the kennels for our dogs.
Testimony Attachment	
Accept Terms and Agreement	1

October 3, 2018



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Honorable Ernie Martin, Chair
Honorable Kymberly Pine, Vice-Chair
Honolulu City Council
Kapolei Hale
Kapolei, Hawaii 96707

Dear Chair Martin, Vice Chair Pine and members of the Council,

Subject: Testimony on Bill No. 71, Relating to Exemptions from Building Permits

My name is Gladys Quinto-Marrone, CEO of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA Hawaii is in support of Bill No. 71 which proposes allowable exceptions to the requirement for building permits for the following structures:

- Temporary tents or other coverings used for private family parties or for camping; and
- Prefabricated kennels no greater than 100 square feet whose purpose is to provide shelter for animals.

As we have stated repeatedly in the past, the Building Permit process should focus on compliance with the Building Code as the codes are there to protect public health and safety. Moreover, even if the City issues a building permit for work not compliant with the codes, the City is not liable. The responsibility or liability rests with the owner/designer/contractor.

The issuance of a building permit should be "ministerial". The Department should develop standards, guidelines, and/or a check list of all of the items that must be included on the plans when being submitted for a building permit. If all items are contained in the submission, and the applicant pays the building permit fee, the permit should be issued immediately, over the counter.

The City should focus on the inspection process during and after construction to insure compliance with the Building Codes. If not in compliance, then the City should require the owner to take steps to cure the violation. If not cured, the City should revoke the permit and have all improvements removed from the property.

Providing exceptions for structures or work that does not impact public health and safety will allow the Department to focus on projects that require greater scrutiny.



We would suggest that the following exceptions also be added to the bill:

- Fences;
- Uncovered patios and decks; and,
- Interior renovations, in any amount, that do not require work performed by a licensed electrical contractor of more than \$500.00 in valuation, and work performed by a licensed plumbing contractor of more than \$1,000.00 in valuation; provided all work done is in compliance with all applicable building codes.

We support Bill No. 71 as amended, and appreciate the opportunity to provide our comments on this bill.

We are neighbors of the person who testified in support of this bill. My family has lived on the property next since the 1940s. My husband, a 100% disabled Vietnam Veteran and I now live on the property for the past 17 years and have complained, not only for the time since she decided to run for office and lost but for the entire 7 years that she has had these dog kennels in her yard to the Department of Planning and Permitting. I have talked to inspectors who have come out and said they could not see into her property because they were run off by this person, cursing and threatening to call her lawyer.

In fact, we are scheduled for a TRO and an injunction for harassment filed by her because of this very situation that she says is political but that's another subject. Thank goodness we finally have an inspector in place who is not afraid of her and has finally fined her for having these makeshift kennels, unsafe and unfit even for animals.

This person houses 70+ cats and 10+ dogs on a residential property in so called "old" Ewa Beach. Her property is surrounded by homes, including mine, and we're forced to overlook not one but SIX (6) 10x10 ft. wire kennels covered by tarps which she uses to house these animals. These kennels are in the hot sun and the animals have no where else to go in the heat of the day or when it rains. The dogs do not have grass, they defecate on the cement or dirt. They are unable to see people or are able to run because they are trapped in these so-called shelters in the center of her property and yes out of love and her unlimited funds, she does it all single handedly. The dogs aren't bathed or walked. They don't hear conversation, music or laughter. They bark incessantly because they cannot see beyond these tarps covered kennels to investigate noises that startle them. Contrary to her belief, these dogs are not any better off then those who may be chained somewhere under other circumstances.

As you can see, we love animals and especially dogs. We have 2 and they run freely in our fenced in grassy yard.

So back to Bill 71. Should the bill pass, it will allow for unlimited tents and shelters. I am opposed to this bill because:

1} These structures are definitely not “nicer than ADUs”, they clutter properties and are unsightly to look at, and may decrease property values and definitely quality of lives.

2} If passed, unlimited tents may pop up in neighborhoods which may become homes for people who need a place to live (which is a good thing compared to animal shelters).

3) Animal shelters, including dog and cats, may pop up everywhere and anyone who is opposed to having one in your neighborhood should be opposed to this bill.

4) Living next to an animal shelter, we are subjected the stench of dog feces and forced to deal with the disease carrying pigeons and doves that feed on the leftover dog food and defecate on our yards, cars, and rooftops and may possibly cause disease.

5) If there is a storm, like the recent tropical storm, which may bring strong winds, the tents could blow free and the “self-assembled” kennels could become a projectile and cause damage to neighboring homes.

6) If there is a fire, it would quickly spread and without electricity and alarms throughout these flimsy structures, there is no way to alert others in the neighboring homes that they may be subject to a fast moving fire.

7) Home owner insurance companies should be notified that this bill may pass as they would certainly be against it too.

Please vote NO on bill number 71. Thank you for your time.

Sandi and Randy Javar